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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,810	08/03/2000	Robert John Colver	1518.005	3585
7590 02/25/2005				
LEVISOHN, BERGER & LANGSAM, LLP				
805 THIRD AVENUE				
19TH FLOOR				
New York, NY 10022				
			EXAMINER	
			NGUYEN, CHI Q	
			ART UNIT	PAPER NUMBER
			3635	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notice of Abandonment

Application No.

09/601,810

Examiner

Chi Q Nguyen

Applicant(s)

COLVER, ROBERT JOHN

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 04 February 2004.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

opw
2/22/05

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 2

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08/03/2004 16:07 2124860323		LBL LLP		PAGE 01/31	
COMBINED TRANSMITTAL OF APPEAL BRIEF TO THE BOARD OF PATENT APPEALS AND INTERFERENCES A PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Late Entry)				Docket No. 1518408	
In Re Application Of: Robert John Colver					
Serial No. 09601810	Filing Date 8/3/04	Examiner Mayer	Group Art Unit 3687		
Inventor: MODULAR BUILDING UNIT					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
This is a combined Transmittal of Appeal Brief to the Board of Patent Appeals and Interferences and petition under the provisions of 37 C.F.R. 1.136(a) to extend the period for filing an Appeal Brief.					
Applicant(s) hereby request(s) an extension of time of (check desired time period): <input checked="" type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months From: <u>July 4, 2004</u> To: <u>August 4, 2004</u> Day Year Day Year					
The fee for the Appeal Brief and Extension of Time has been calculated as shown below:					
Fee for Appeal Brief: <u>\$310.00</u>					
Fee for Extension of Time: <u>\$110.00</u>					
TOTAL FEE FOR APPEAL BRIEF AND EXTENSION OF TIME: <u>\$420.00</u>					
The fee for the Appeal Brief and extension of time is to be paid as follows:					
<input type="checkbox"/> A check in the amount of _____ for the Appeal Brief and extension of time is enclosed. <input checked="" type="checkbox"/> Please charge Deposit Account No. 02-2105 in the amount of \$420.00. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105: 2) Any additional filing fees required under 37 C.F.R. 1.15. 3) Any patent application processing fees under 37 C.F.R. 1.17. <input type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-2105.					
PAGE 01/31 RPT AT 03/08/2005 3:12:40 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-1/2 * DNIS:8729306 * CSID:2124860323 * DURATION (mm:ss):11:44					

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